



**UNITED STATES DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

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Paper No. 87

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SEP 20 1991

In re Application of  
Ole K. Nilssen  
Serial No. 06/787,692  
Filed: October 15, 1985  
Attorney Docket No.

**DEPUTY ASST COMM.**

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 11, 1991, to revive the above-identified application.

The petition is dismissed.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

A petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied (1) by a verified statement that the abandonment was unintentional, (2) by the proposed response to the outstanding Office action, and (3) by the petition fee required by law (37 CFR 1.17(m)). This petition lacks item (2) above.

The application became abandoned for failure to file a response within the meaning of 37 CFR 1.113 to the final rejection of September 26, 1990, within the time period for response. The proposed response required for consideration of a petition to revive must be a Notice of Appeal (and fee required by law), an amendment that prima facie places the application in condition for allowance, or the filing of a continuing application. Since the amendment submitted does not prima facie place the application in condition for allowance, the response required must be a Notice of Appeal and requisite fee, or the filing of a continuing application under the terms set forth in 1031 O.G. 11.

Further correspondence with respect to this matter should be marked on the front page of the communication to the attention of

the Office of the Assistant Commissioner for Patents, Crystal Park Two, Suite 913, and addressed as follows:

Commissioner of Patents and Trademarks  
Box DAC  
Washington, D.C. 20231

Telephone inquiries should be directed to the Petitions Information Staff at (703) 557-4282.



Jeffrey V. Nase  
Supervisory Petitions Examiner  
Office of the Assistant Commissioner  
for Patents